

CITY OFFICIALS MAY BE INDICTED FOR FIRE HORROR

Evidence Prepared for Grand
Jury to Show Culpability
of Building Department.

MAY REVISE CHARTER.

Coroner's Inquest Brings Out
Stories of Locked Door
From Survivors.

It is the intention of District Attorney Whitman and his assistants, Rostwick and Rubin, to have the Grand Jury, which yesterday indicted Max Blank and Isaac Harris, proprietors of the Triangle Waist Company, for manslaughter in being responsible for 146 deaths in the Asch Building fire, take up the question of responsibility of officials of the Building Department in not requiring adequate fire escapes on the structure.

Testimony pertaining to the inadequacy of the one fire escape on the building has already been heard by the Grand Jury, and further testimony will be heard when the investigation is resumed on Monday. It is asserted that indictments for neglect of duty against certain officials of the Building Department may be filed with Judge O'Sullivan, based on the fact that the necessity for more fire escapes, caused by the construction of adjacent buildings, had not been observed by those whose duties are laid down by law to look out for such things.

Fixing Official Blame.
Assistant District Attorney Rostwick, whose labors brought about the indictments of Harris and Blank, has delved into the law applicable to the duties of the city officials.

Section 52 of the Labor law provides that such fire escapes as may be deemed necessary by the Commissioner of Labor shall be provided on the outside of every factory in this State consisting of three or more stories in height. The testimony adduced before the Grand Jury relative to the violation of the law requiring three stairways in a structure of the size of the Asch Building when it was built shows that, at the request of the architect, the Commissioner of Buildings at that time consented to the erection of only two stairways because a fire escape, which proved so inadequate at the time it was so badly needed, had been provided for in the interior court of the building.

Commissioner of Buildings Rudolph P. Miller, who was the inspector in charge of the construction of the Asch Building, has told Mr. Rostwick that this was entirely within the discretion of the then Superintendent of Buildings, as in the placing of fire escapes on the outside of any building.

If it is found because of the laxity of Section 49 of the New York City Charter that it will be impossible for the Grand Jury to file indictments that will stand. The Grand Jury, it is asserted, will recommend to Judge O'Sullivan that the legislature be called upon at once to take from the Commissioner of Buildings the discretionary powers now invested in him in regard to the providing of fire escapes.

Coroner's Jury Probes.
Assistant Foreman Jacob Wolf Jr., of Hook and Ladder Company No. 20, was the first witness before Coroner Holtzhauser and a jury today when the inquest was resumed. Wolf testified that when his company arrived at the building persons were jumping from the eighth, ninth and tenth floors. He couldn't count them, but it seemed fifteen or twenty were in the air at a time.

Describing the horror further, Wolf testified:
"On the ninth floor I saw thirteen bodies in front of the dressing room, against the partitions in two piles. On top of the second elevator I saw nineteen bodies. Only three were alive."

"What was the condition of the doors on the eighth, ninth and tenth floors when you got there?" Architect McKim, one of the jurors, asked.
"All burned away,"

"And the partitions?"
"Burned away."

Charles M. Lauth, of the same company, testified that he removed twelve bodies from in front of the dressing room on the ninth floor. At the elevator entrance on the Greene street side he found a pile of bodies five or six feet high. They were heaped against a partition parallel with the elevator doors.

Capt. Howard C. Rich of High Pressure Engine No. 18, told how the jumpers came down in groups, breaking the life line with the rope.

"Did you examine the house hose?" asked Assistant District Attorney Rubin.
"Yes," answered the fireman. "The house hose running from the eighth floor had never been used, but on the ninth was burned away. When we reached the ninth floor, it seemed to me that the whole floor was aflame, so much light material was burning."

Capt. Rich declared the fire jumped quickly from floor to floor through the holes for steam pipe risers, which were unusually wide and near flimsy materials. In three minutes, he said, the three upper floors were ablaze from the flames starting on the eighth floor.

Girl Tells of Death Trap.
Anna Doherty of No. 23 East Twelfth street, who worked in the Triangle shop more than a year, testified that she never knew there was a door on the Washington Place side. She told how she and another girl had run away from the Greene street stairs because one was coming up and went to the show room. The other girl jumped from the window.

The employees used to go down on the freight elevator on the Greene street side, on the stairs she testified.

"Did you know Mr. Alter?" Mr. Rubin

asked. "He used to examine the purses and packages, didn't he?"
"If I had a package I would tell him what was in it. The majority of the girls did the same thing. I never saw him examine packages."

Isaac Stern of No. 40 East Eleventh, eighth street, Superintendent of the Asch Building, in answer to questions by Juror McKim, said he always found the doors on the eighth, ninth and tenth floors, on the Washington Place side, unlocked. He went through the building at all hours.

"Why did you go up and down stairs?" I was asked.

"To examine the hose and the lights," he answered. "They used to steal globes and hose, so we stopped the lights for a time, but turned them on again."

"Wasn't it because the Factory Inspector ordered you, on Feb. 25, to have lights on?"
"Yes."

"Did you go through the building on the day of the fire?" Juror McKim interrupted.

"No, I don't think so," Stern answered, "but the lights were going all day."

Never Tested Fire Apparatus.
Stern could not say whether there had ever been a previous fire in the Triangle shop. He had seen Superintendent Stern eight years.

Juror Raphael made him admit that he never had tested the standpipes and hose.

Irene Salvo, who was an operator on the eighth floor, said she heard the girls crowding near the door and screaming. "The door is locked. We are lost!"

She had used the Washington Place door just once. There was some trouble with the power and Mr. Harris opened the door.

"He asked somebody for the key—I don't know who," Mrs. Salvo said, "and he opened the door and let the girls through."

At other times they used the Greene street door, where they had to open their purses and packages for inspection.

The Elkins of No. 8 East One Hundred

and Nineteenth street testified that she came out of the dressing-room after the cry of fire and saw thirty girls pounding against the Washington Place door on the eighth floor and screaming. Brown opened the door.

"Did he have a key?" Mr. Rubin asked.

"I didn't see any," the girl answered. Samuel Bernstein of No. 100 East One Hundred and Seventeenth street, manager of the Triangle Shirt Waist Company, was the next witness. He is related to Mr. Blank, and is now with the International Shirt Waist Company, under which name Harris and Blank are doing business.

Bernstein swore that the doors on the Greene street side never were locked, though they opened inward. The girls had to pass a time-clock and punch their cards, and a man saw that this was done and examined packages. He told the jurors who had yesterday taken their own measurements, that there was 30 inches between the tables

and the Washington Place wall. Juror Raphael asked if the space wasn't really about 15 inches. Bernstein was sure of his figures. The keys always were in their locks and tied to the doorknobs, Bernstein said.

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